REMARKS

The foregoing Amendment and the following Remarks are submitted in response to the Office Action issued on April 12, 2007 in connection with the above-identified application.

Claims 1-13 and 15-24 remain pending in the present application as amended. Independent claims 1, 15, and 24 have been amended, and claims 14 and 25-38 have been canceled. No new claims have been added. Applicants respectfully submit that no new matter has been added to the application by the Amendment.

In the Office Action, the Examiner has rejected claims 15-24 under 35 USC § 101 as being directed to non-statutory subject matter. Applicants respectfully traverse the Section 101 rejection insofar as it may be applied to the claims as amended.

According to the Examiner, the claims do not recite a practical application with a physical transformation or tangible result. Accordingly, Applicants have amended independent claims 15 and 24 in an effort to more positively provide a tangible result. In particular, claims 15 and 24 as amended recite tangible subject matter in that such claims recite a method as performed by and with regard to a local computing device and a remote computing device.

At any rate, claim 15 now recites the tangible result that software is loaded on a remote computing device, as is the case with claim 1, and claim 24 now recites the tangible result that a function is executed on such a remote computing device. Thus, Applicants respectfully submit that such claims 15 and 24 and all claims depending therefrom are directed to statutory subject matter inasmuch as the final result achieved by the claimed invention therein is "useful, tangible and concrete." Accordingly, Applicants respectfully request reconsideration and withdrawal of the Section 101 rejection.

The Examiner has rejected the claims under 35 USC § 103 as being obvious over Branson et al. (U.S. Pat. No. 6,968,550) in view of Falls et al. (U.S. Pat. No. 5,991,771). Applicants respectfully traverse the Section 103 rejection insofar as it may be applied to the claims as amended.

As set forth in the specification of the present application, the present invention is directed toward providing functionality to load software onto a remote computing device

such as a personal data assistant or a mobile telephone from a local computing device such as a desktop computer. Such functionality is necessary inasmuch as the operating system and software environment of the remote computing device is typically not as robust as that of the local computing device. Put another way, the remote device must rely on help from the local device in order to load or 'bootstrap' the software.

As recited in independent claims 1 and 15, the local device determines that a connectivity component is missing from (claim 1) or present at (claim 15) the remote computing device. If missing as in claim 1, the local computing device loads the connectivity component onto the remote computing device via an existing transport mechanism. In either of claims 1 or 15, the local computing device thereafter directs the loaded or present connectivity component on the remote computing device to bootstrap a remote procedure call component onto the remote computing device.

The local computing device then issues to the bootstrapped remote procedure call component at least one argument via a remote procedure call thereto, and the remote procedure call component executes in response to the remote procedure call a binary stored in a library on the remote computing device. Thus, the executed binary loads the software onto the remote computing device.

Independent claim 24 recites similar subject matter, albeit with regard to a function to be executed at the remote computing device. Here, the local computing device determines an endpoint associated with the remote procedure call component on the remote computing device, and identifies to the remote procedure call component the function to execute and the library the function is stored in via a remote procedure call. As a result, the remote procedure call component at the remote computing device executes the function at the remote computing device. Thereafter, the local computing device receives from the remote procedure call component a result of executing the function.

To summarize, then, the present invention as recited in the claims of the present application employs a remote procedure call component at a remote computing device to allow a local computing device to access and control the remote computing device. Thus, such remote computing device can load software onto the remote computing device by way of the remote procedure call component, and can otherwise execute functions on the remote computing device by way of the remote procedure call component thereof. In addition, the

present invention employs a connectivity component to bootstrap the remote procedure call component.

The Branson reference discloses a method and apparatus for synchronizing software between computers. Similarly, the Falls reference discloses a method and apparatus for synchronizing transactions in a dis-connectable network. However, the present invention as recited in the claims of the present application is not concerned with synchronizing software or transactions, but with allowing a local computing device to load software onto a remote computing device and otherwise execute functions on the remote computing device, regardless of whether the software or functions are also loaded or executed on the local computing device.

Thus, neither the Branson reference nor the Falls reference can be employed, alone or combined, to make obvious the claims of the present application for the reason that such Branson and Falls references do not appreciate that functionality should or could be provided to load software onto a remote computing device such as a personal data assistant or a mobile telephone from a local computing device such as a desktop computer, or that such functionality is necessary inasmuch as the operating system and software environment of the remote computing device is typically not as robust as that of the local computing device. More particularly, because the Branson and Falls references do not appreciate that the remote device must rely on help from the local device in order to load or 'bootstrap' the software, such references do not disclose or even suggest that such remote device have loaded thereon a remote procedure call component to in effect act as a conduit that effectuates the local device to make remote procedure calls to the remote device, as is required by claims 1, 15, and 24 of the present application, or that such remote device also have loaded thereon a connectivity component to bootstrap the remote procedure call component, as is required by claims 1 and 15.

Accordingly, and for all of the aforementioned reasons, Applicants respectfully submit that the Branson and Falls references cannot be applied to make obvious such claims 1, 15, and 24, or any claims depending therefrom, including claims 2-13 and 16-23. As a result, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection of such claims.

In view of the foregoing Amendment and Remarks, Applicants respectfully submit that the present application including claims 1-13 and 15-24 is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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